

Appl. No. 10/038,341
Amtd. Dated August 7, 2006
Reply to Office action of April 19, 2006

REMARKS/ARGUMENTS

Claims 1-35 are pending in the present application.

This Amendment is in response to the Office Action mailed April 19, 2006. In the Office Action, the Examiner rejected claims 1-35 under 35 U.S.C. §102(e). Reconsideration in light of the remarks made herein is respectfully requested.

Response to Examiner's arguments

In the Office Action, the Examiner contends that in Figure 1, it is not possible for the firewall 110 to include all the features indicated inside the firewall such as tunnel 165, .. as this is contrary to what the firewall is (Office Action, page 3, paragraph number 3). Applicant respectfully disagrees.

A firewall is defined as a system designed to prevent unauthorized access to or from a private network. A firewall may be represented as a "wall" that separates the private network being protected and the external world. A firewall therefore may be characterized logically as a boundary isolating the private network from the external world. This boundary may be open or closed. When a firewall is represented as a closed boundary, it is the BOUNDARY that indicates the firewall, not things that are enclosed by that boundary. In Figure 1 of the Specification, the firewall 110 is shown as a boundary that isolates the tunnel 165, the gateway device 150, the internal contact point 160, etc. from the relay servr 120, the external peer 130, and the network 140. This representation of a firewall as an enclosed boundary is common as given in the following diagrams from various sources as shown below.

Since Applicant elects to illustrate the firewall as a closed boundary that isolates the private network being protected from the external world, it is appropriate for Applicant to claim "the internal peer being registered internally inside the firewall for an external communication across the firewall." To clarify this aspect, the Specification has been amended.

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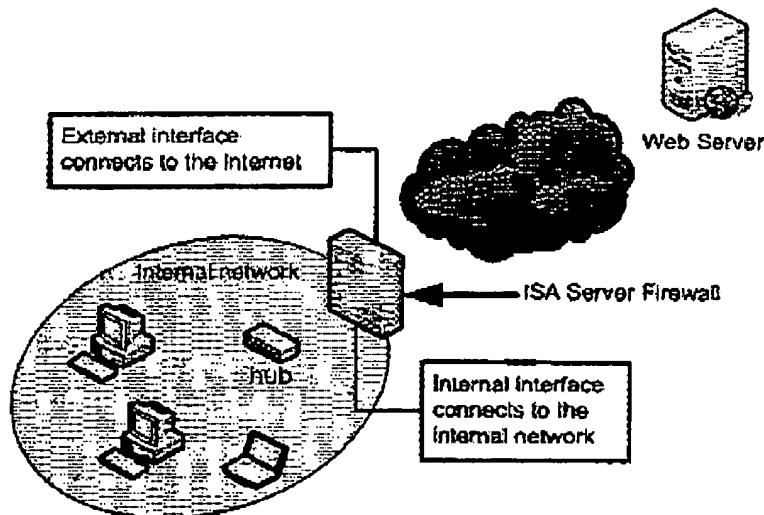
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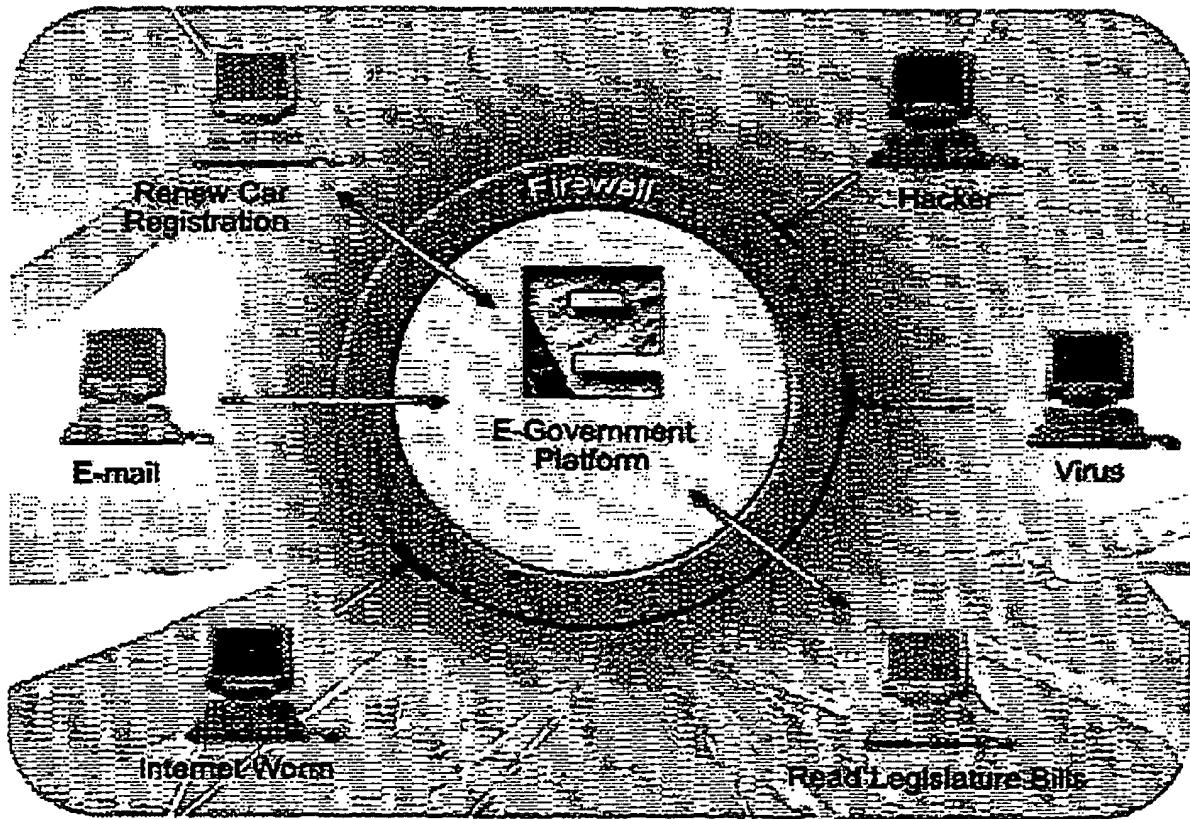
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<http://www.microsoft.com/technet/prodtechnol/isa/2000/depoly/isa2kqsg.mspx>



<http://www.oregon.gov/DAS/IRMD/EGOV/Security.shtml>

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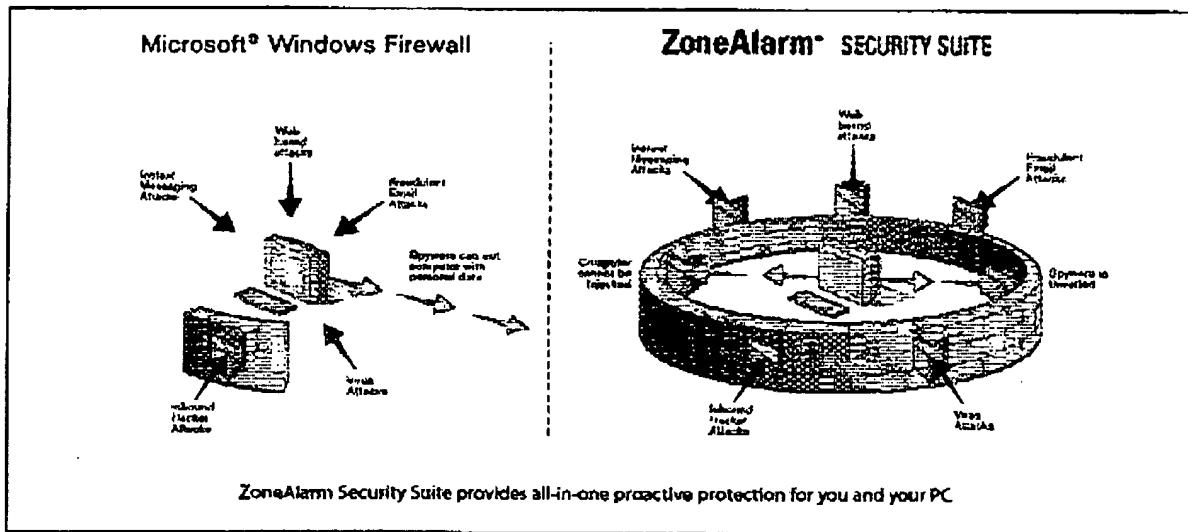
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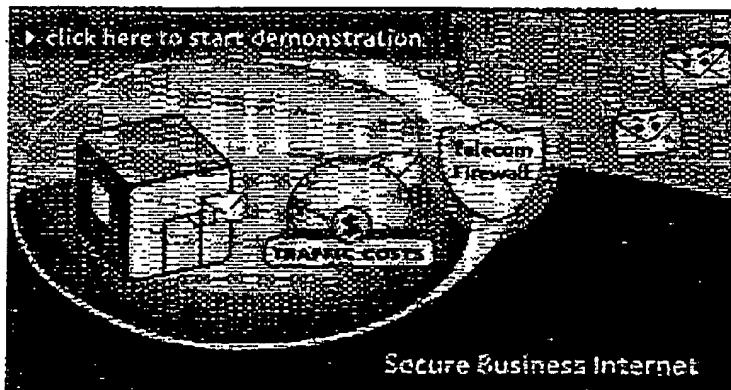
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http://www.zonelabs.com/store/content/company/products/xpInfoCenter/threats.jsp?dc=1_2bms&ctry=US&lang=en#2



<http://www.telecom.co.nz/content/0,8748,202159-1272,00.html>

2. The Examiner further contends that Traversat discloses peer group registration across a firewall in paragraph [0463] according to one embodiment (Office Action, page 4, third full paragraph). However, as argued in the previous response, Traversat does not disclose registering inside the firewall for the external communication across the firewall.

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3. The Examiner further contends that reference "524" meets the recitation of a collector to collect a message as well as a distributor to distribute the message. The Examiner further contends that distributing the message inherently includes the matching in the address information of the message and the registered internal peers. Applicant respectfully disagrees.

As discussed in the previous response, Traversat explicitly discloses that a relay peer caches route information and use the route information to route messages between peers (Traversat, Paragraph [0417]; Figure 31). The route information may be discovered in sending messages from source to destination peers, or received from other peer nodes such as other relay peers or rendezvous peers (Traversat, Paragraph [0417]; Figure 31). Therefore, there is no inherency regarding how the messages are sent. The route information is used to route the message, not based on the matching of address information of the message and the registered internal peer. Furthermore, Traversat explicitly discloses that the relay peer is a peer outside of a firewall (Traversat, Paragraphs [0403], [0407]; Figure 29, element 244). Therefore, it cannot be inside the firewall to collect and to distribute the message. Moreover, Traversat does not disclose that the message is intended for an internal peer inside a firewall. The relay peer only routes messages between peers (Traversat, Paragraph [0417]; Figure 31), not from an external peer to an internal peer.

Drawings

In the Office Action, the Examiner objected to the drawings because reference character 110 has been used to designate a firewall. However, it incorporates features such as tunnel 165 (Office Action, page 2, paragraph number 2). Applicant respectfully disagrees. As discussed above, when a firewall is represented as a closed boundary, it is the BOUNDARY that indicates the firewall, not things that are enclosed by that boundary. In addition, Applicant has amended the Specification to clarify that the devices that are protected by the firewall, not the firewall, include a gateway device, an internal contact point, registered and unregistered internal peers.

Accordingly, Applicant respectfully request the objections to Figure 1 be withdrawn.

Rejection Under 35 U.S.C. § 102

In the Office Action, the Examiner rejected claims 1-35 under 35 U.S.C. §102(e) as being anticipated by U.S. Publication No. 2002/0143855 issued to Traversat et al. ("Traversat") which

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claims priority from Provisional Application No. 60/263,573 filed on January 22, 2001.

Applicant respectfully traverses the rejection and contends that the Examiner has not met the burden of establishing a *prima facie* case of anticipation.

Traversat discloses relay peers for extending peer availability in a peer-to-peer networking environment. Relay peers relay messages between peers that cannot communicate directly (Traversat, paragraph [0401]). The peer inside the firewall may contact the relay peer to retrieve messages received at the relay peer on behalf of the peer (Traversat, paragraph [0402]). The relay peer may keep information about routes that it discovers and store them in the route table. This allows the relay peer to build a knowledge base about the network topology (Traversat, paragraph [0408]).

Traversat does not disclose, either expressly or inherently, (1) a collector inside a firewall to collect a message intended for an internal peer inside a firewall via a gateway device at the firewall, (2) the internal peer being registered internally inside the firewall for an external communication across the firewall, (3) a distributor to distribute the message to the registered internal peer if there is a match in address information of the message and the registered internal peer, and (4) a registrar to register the internal peer internally inside the firewall for the external communication across the firewall.

Traversat merely discloses that any peer in a peer group may become a relay peer (Traversat, paragraph [0408]). A peer is not the same as a collector. Furthermore, Traversat does not disclose the intended internal peer registering for an external communication across the firewall. In addition, Traversat does not disclose a distributor to distribute the message to the registered internal peer if there is a match in address information of the message and the registered internal peer. Traversat merely discloses the peer inside the firewall contacting the relay peer to retrieve messages, not a distributor distributing the message if there is an address match. Claims 1, 11, 21, and 31 have been amended to clarify this aspect of the invention.

Furthermore, Traversat does not disclose a registrar to register the internal peer internally inside the firewall for the external communication across the firewall. As discussed above, Traversat merely discloses the peer group 210 registers on the proxy service 270 in the region 212A which is outside the firewall (Traversat, paragraph [0463]).

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In the Office Action, the Examiner contends that any peer in a peer group can become a relay peer. The Examiner then concludes that either of the peers inside the firewall shown on Figure 20 (i.e., 200D or 200E) or Figure 21 (i.e., 200C or 200D) can be used as relay peers (Office Action, page 8, lines 7-9). Applicant respectfully disagrees. Traversat merely states that "any peer in a peer group may become a relay peer" (Traversat, paragraph [0411]) as a general discussion on peer characteristics, but does not disclose or suggest that any peer inside a firewall may become a relay peer. Traversat explicitly discloses that relay peers are outside a firewall or a partition (Traversat, paragraph [0407]). Even if a relay peer is inside a firewall, it still does not perform the tasks including registering peers inside the firewall, collecting messages, and distributing the messages if there is a match in address information as discussed above.

To anticipate a claim, the reference must teach every element of the claim. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Vergoaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the...claim." Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ 2d 1913, 1920 (Fed. Cir. 1989).

Therefore, Applicant believes that independent claims 1, 11, 21, and 31 and their respective dependent claims are distinguishable over the cited prior art references. Accordingly, Applicant respectfully requests the rejection under 35 U.S.C. §102(e) be withdrawn.

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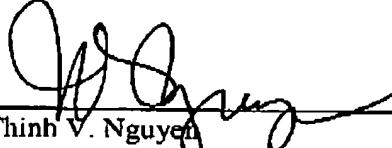
Conclusion

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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Dated: August 7, 2006

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Tu Nguyen